

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO. 1:14-cv-00210-RLV-DCK**

ROSA P. DILLINGHAM,	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
CAROLYN W. COLVIN,	)	
Acting Commissioner of Social Security	)	
	)	
<b>Defendant.</b>	)	
	)	

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On November 5, 2015, Magistrate Judge Keesler issued a memorandum and recommendation that claimant's case be remanded for further consideration. (Doc. 18, at 12). The parties were advised of their right to object (*id.* at 13) and have not exercised said right within the time allotted.

“The Federal Magistrates Act requires a district court to ‘make a de novo determination of *those portions* of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir.2005) (quoting 28 U.S.C. § 636(b)(1)) (alteration in original) (emphasis removed). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Id.* (quotation omitted).

The Court has reviewed the opinion and has not found clear error.

**IT IS, THEREFORE, ORDERED THAT**

- (1) The Memorandum and Recommendation (Doc. 18) is **ADOPTED**;
- (2) Both Motions for Summary Judgment (Docs. 9, 10) are **DENIED**; and

(3) The case is remanded for further consideration for the grounds stated in the memorandum and recommendation.

Signed: February 23, 2016



Richard L. Voorhees  
United States District Judge

